IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 1046 OF 2004

PETITIONER

Bipul Kumar Shukla, S/O. Shri Bhaiyalal Shukla, Aged about 32 years, Presently posted and working as Head Constable, Police Station Orchha, Police District Narayanpur, District Bastar (C.G.).

Versus

RESPONDENTS

1. Union of India through the Secretary, Department of Personnel, Public Grievance and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh, Through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.).

3. State of Chhattisgarh, Through the Secretary, Department of Home Affairs, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

4. Director General of Police, State of Chhattisgarh, Raipur (C.G.).

5. Inspector General of Police (Personnel), Police Head Quarters, Raipur, District Raipur (C.G.).

6. Superintendent of Police, District Bastar, Jagdalpur (C.G.).

7. Superintendent of Police, Police District : Narayanpur, District Bastar (C.G.).

P. R. No. ..... 1004/04 .....
Presented by Shri ... B.D. Gupta ...
dated ..... 05.11.04 .....

Received Copy
Shri Yadav
05/04/04
Clerk to Shri
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

RECEIVED COPY
5-11-04
Clerk to A. G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1046/ सन् 2004

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

21.04.2004

Shri Prashant Mishra, counsel for the petitioner.

Shri Vinjay Harit, Sr. Standing Counsel with Shri V.V.S. Murthy, Addl. Standing Counsel for Union of India.

Shri Akhil Agrawal, Panel Lawyer for the State of Chhattisgarh and its officials

None for respondent No.2. Service to respondent No.2 is not required as no relief is claimed from it. Service to it is dispensed with.

Application for urgent hearing is allowed.

Heard.

By this petition under Article 226/277 of the Constitution of India, the petitioner has submitted that though he has been allocated to the State of Madhya Pradesh but he is not being relieved. Counsel for petitioner relied on judgment of this Court in W.P.No.516/2003 (Dr. Ashok Kumar Jain & Ors. vs State of Chhattisgarh & Ors.) dated 17.12.2003 copy of which has been filed along with the petition as Annexure P-6. This fact is not disputed by the other side.

Having considered the facts and circumstances, material on record and in view of the judgment cited above and further the legal position, the action of the State authorities in not relieving the petitioner cannot be sustained and the petitioner is entitled for relieving.

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Accordingly, the petition is allowed and the respondents are directed to relieve the petitioner.

Learned counsel for the Union of India submits that elections are going on and election process will continue upto 20.05.2004.

In the circumstances, it is directed that the petitioner be relieved immediately after 20.05.2004 and in any case before 31.05.2004.

With this observation, the petition is disposed of.

Consequently, M.W.P.No.960/2004 for interim relief also stand disposed of.

Sd/-
Fakhruddin
Judge

Pathak/-

[पीछे देखिये